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## Judge gives initial OK to revised Facebook privacy settlement

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By Jessica Dye

(Reuters) - A U.S. judge on Monday gave his preliminary approval to a second attempt by Facebook Inc to settle a class action lawsuit which charges the social networking company with violating privacy rights.

U.S. District Judge Richard Seeborg in California rejected a settlement in August over Facebook's 'Sponsored Stories' advertising feature, questioning why it did not award money to Facebook members for using their personal information.

But in a ruling handed down Monday, Seeborg said a revised settlement "falls within the range of possible approval as fair, reasonable and adequate."

In a revised proposal, Facebook and plaintiff lawyers said users now could claim a cash payment of up to \$10 each to be paid from a \$20 million total settlement fund. Any money remaining would then go to charity.

The company also said it would engineer a new tool to enable users to view content that might have been displayed in Sponsored Stories and opt out if they desire, a court document said.

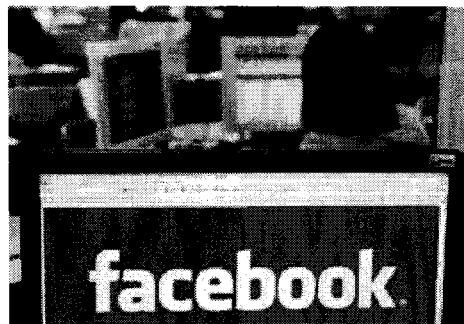
If it receives final approval, the proposed settlement would resolve a 2011 lawsuit originally filed by five Facebook Inc members.

The lawsuit alleged the Sponsored Stories feature violated California law by publicizing users' "likes" of certain advertisers without paying them or giving them a way to opt out. The case involved over 100 million potential class members.

A spokesman for Facebook said the company was "pleased that the court has granted preliminary approval of the proposed settlement." Lawyers for the plaintiffs weren't immediately available for comment Monday evening.

Outside groups and class members will have a chance to object to the latest settlement before Seeborg decides whether to grant final approval. A hearing on the fairness of the deal has been set for June 28, 2013. The case in U.S. District Court, Northern District of California is Angel Fraley et al., individually and on behalf of all others similarly situated vs. Facebook Inc, 11-cv-1726.

(Reporting by Jessica Dye; Editing by Michael Perry)



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